

**Chehalem Valley Middle School and Antonia Crater Elementary School Design Review**  
Land Use Application

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**Site Location:** 403 W. Foothills Drive (203 and 101 W. Foothills Drive)

**Tax Lot(s):** Tax Map 3207 Tax lot 01001



**Site Size:** 16.84 Acres (Area of work – Campus also includes TL 1000, but all construction will occur on TL 1001)

**Zoning:** R-1 (Tax Lot 1001) and CF (Tax Lot 1000)

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## I. DESCRIPTION OF PROPOSAL

The Newberg School District is in the process of executing improvements to several district schools as a result of a recent bond approval. Specific to the Chehalem Valley Middle School (CVMS) and Antonia Crater Elementary School campus (ACES), the district proposes to add one covered play area associated with each school, repair and repave the existing parking lots, and with a future phase, add a covered space over the CTE space on the east side of Chehalem Valley Middle School.

As reflected in the attached plan set, the districts proposes the following improvements at Chehalem Valley Middle School:

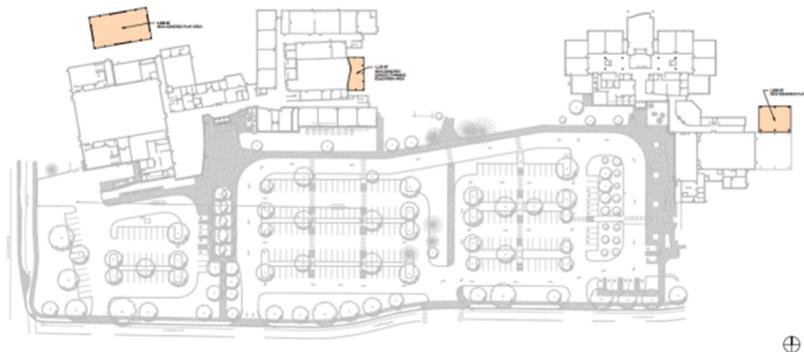
- Add a 4,747 SF covered play area;
- Remove an existing 1,800 SF portable classroom on the east side of the building;
- Add approximately 1,488 SF of covered area for the Career Training Education (CTE) program on the east side of the middle school building (*if funding is available*); and
- Make repairs and repave the existing parking and circulation on-site.

At the Antonio Crater Elementary School Campus, the district proposes to:

- Add a 2,000 SF covered play area and
- Make repairs and repave the existing parking and circulation on-site.



Aerial Photo



SITE PLAN



## II. RESPONSE TO APPLICABLE CODE STANDARDS AND APPROVAL CRITERIA

### CITY OF NEWBERG, OREGON DEVELOPMENT CODE (NDC)

#### Chapter 15 – DEVELOPMENT CODE

**Note:** Only those standards that are applicable to the proposed development are addressed below. Standards of the Development Code that are were not found to be applicable to the proposed improvements have not been responded to.

#### **15.100 Land Use Processes and Procedures**

**Response:** The area of the campus where the proposed additions would occur are located within the R-1 zoning district. According to section 15.305.020 Zoning Use Table – Use Districts, primary and secondary schools are permitted outright within the R-1 zone. Both schools are existing and the proposed improvements are modifications to the campus. As indicated previously, the proposed development includes removal of an existing classroom modular associated with CVMS, the addition of three covered areas on an existing combined school campus (*two associated with CVMS and one with ACES*) as well as repairs and repaving of the existing parking and circulation areas on site. The total net area of the covered additions is approximately 6,435 square feet.

According to discussions with staff and section 15.220.020.A.2.a, Site Design Review for these improvements are subject to a Type II review. Section 15.220,050 spells out the standards that must be met for such a development and compliance with the applicable approval criteria are discussed in the following narrative.

#### **15.220 Site Design Review**

*B. Type II. The following information is required to be submitted with all Type II applications for site design review:*

1. **Site Development Plan.** A site **development plan** shall be to scale and shall indicate the following as appropriate to the nature of the use:
  - a. **Access** to site from adjacent **right-of-way, streets** and **arterials**;
  - b. **Parking and circulation areas**;
  - c. **Location and design of buildings** and **signs**;
  - d. **Orientation of windows and doors**;
  - e. **Entrances and exits**;
  - f. **Private and shared outdoor recreation spaces**;
  - g. **Pedestrian circulation**;
  - h. **Outdoor play areas**;
  - i. **Service areas for uses** such as mail delivery, trash disposal, above-ground **utilities**, loading and delivery;
  - j. **Areas to be landscaped**;
  - k. **Exterior lighting**;
  - l. **Special provisions for handicapped persons**;
  - m. **Other site elements and spaces which will assist in the evaluation of site development**;
  - n. **Proposed grading, slopes, and proposed drainage**;
  - o. **Location and access to utilities** including hydrant locations; and





3. *Architectural Drawings. Architectural drawings shall be prepared which identify floor plans and elevations.*

**Response:** Architectural drawings and elevations are included with the submittal. See sheets A3.00 and A3.05.

4. **Landscape Plan.** *The **landscape** plan shall indicate:*

- a. *The size, species and approximate locations of plant materials to be retained or placed on the site together with a statement which indicates the mature size and canopy shape of all plant materials;*
- b. *Proposed site contouring; and*
- c. *A calculation of the percentage of the site to be landscaped.*

**Response:** The proposed modifications and additions would impact a small amount of grassed areas on the perimeter of the covered play areas and at the covered CTE area as shown on sheets C4.1 and C4.2. Because of the size of the existing campus, the impacts to landscaping are minimal. In addition, the storm pond associated with the addition of the covered play area at CVMS would be landscaped as demonstrated on Civil sheet C 4.1.

5. *Special Needs for Handicapped. Where appropriate, the design review plan shall indicate compliance with handicapped accessibility requirements including, but not limited to, the location of handicapped **parking spaces**, the location of accessible routes from the entrance to the public way, and ramps for wheelchairs.*

**Response:** The site has previously been designed to be compliant with the Americans with Disabilities Act (ADA). No modifications to existing ADA routes and parking are proposed with this application.

6. *Existing Features and Natural **Landscape.** The plans shall indicate existing landscaping and existing **grades**. Existing trees or other features intended to be preserved or removed shall be indicated on the plans.*

**Response:** The submittal includes existing conditions plans and grading plans illustrating existing and proposed grades. None of the existing trees on site are proposed to be impacted as a result of the proposed additions. See sheets C1.3 through C1.5 and C3.1-C3.5 for specific details.

7. *Drives, Parking and Circulation. Proposed vehicular and pedestrian circulation, **parking spaces**, parking aisles, and the location and number of **access** points shall be indicated on the plans. Dimensions shall be provided on the plans for parking aisles, back-up areas, and other items as appropriate.*

**Response:** The site plan, Sheets C2.3-C2.5 illustrate the location of the existing access points, parking, pedestrian, and vehicular circulation. The proposed improvements include repair, repaving, and restriping of the existing parking and circulation areas consistent with the existing configuration.



8. *Drainage. The direction and location of on- and off-site drainage shall be indicated on the plans. This shall include, but not be limited to, site drainage, parking lot drainage, size and location of storm drain lines, and any retention or detention facilities necessary for the project.*

**Response:** The submittal includes a civil plan set that includes C3.0-C3.5 (Grading and Erosion Control Plans) and C4.1-C4.2, and Appendix 1, a preliminary stormwater memorandum that include more specific details about stormwater treatment and detention. This specific proposal would add approximately 6,435 square feet of new or modified impervious area to the campus and it is assumed that additional treatment would be provided as shown in sheets C4.1-C4.2 and be discharged into the existing conveyance systems on or near the site.

9. *Buffering and Screening. Buffering and screening of areas, structures and facilities for storage, machinery and equipment, services (mail, refuse, utility wires, and the like), loading and parking and similar accessory areas and structures shall be shown on the plans.*

**Response:** The play areas are existing and proposed to be covered. The CTE covered area and modular proposed to be removed are interior to the site. Parking and service areas are pre-existing and not affected by the proposed improvements. Therefore, none of the existing required buffering and screening is impacted by this proposal. .

10. *Signs and Graphics. The location, colors, materials, and lighting of all exterior signs, graphics or other informational or directional features shall be shown on the plans.*

**Response:** No new signage or graphics are proposed with these new improvements. This criterion is not applicable to the proposed development.

11. *Exterior Lighting. Exterior lighting within the design review plan shall be indicated on the plans. The direction of the lighting, size and type of fixtures, and an indication of the amount of lighting shall be shown on the plans.*

**Response:** The proposed covered play areas will not be provided with exterior lighting. They will be downlit on the interior which means that lighting would not project beyond the footprint of the covered areas. The District has indicated that there will not be any new vertically mounted fixtures.

12. *Trash and Refuse Storage. All trash or refuse storage areas, along with appropriate screening, shall be indicated on the plans. Refuse storage areas must be constructed of brick, concrete block or other similar products as approved by the director.*

**Response:** The locations of trash and refuse areas were previously approved and are not affected by the proposed modifications. Each school has a service area located adjacent to the building as illustrated in the aerial below. None of the existing service areas or screening are impacted by the proposed modifications.





13. Roadways and **Utilities**. The proposed plans shall indicate any public improvements that will be constructed as part of the project, including, but not limited to, roadway and utility improvements.

**Response:** The district is aware that improvements totaling more than \$30K may afford the City an opportunity to request additional improvements under the development code. The District is not proposing to make any new public improvements with this application beyond replacing any damaged sidewalk panels along the site's frontages. If additional dedication and improvements are warranted and found to be roughly proportional to the impacts of the proposed improvements associated with this application, the District will comply. It should be noted that no new vehicular or pedestrian trips are expected to be generated with this proposal and that enrollment at both schools is not proposed to be increased with these improvements.

14. **Traffic Study**. A traffic study shall be submitted for any project that generates in excess of 40 trips per p.m. peak hour. This requirement may be waived by the **director** when a determination is made that a previous traffic study adequately addresses the proposal and/or when off-site and frontage improvements have already been completed which adequately mitigate any traffic impacts and/or the proposed **use** is not in a location which is adjacent to an intersection which is functioning at a poor level of service. A traffic study may be required by the **director** for projects below 40 trips per p.m. peak hour where the **use** is located immediately adjacent to an intersection functioning at a poor level of service. The traffic study shall be conducted according to the **City of Newberg design standards**. [Ord. 2619, 5-16-05; Ord. 2451, 12-2-96. Code 2001 § 151.192.]

**Response:** As indicated above, no new vehicular or pedestrian trips are expected to be generated with this proposal and enrollment at both schools is not proposed to be increased with these improvements. Staff confirmed in the pre-application conference that a traffic study would not be necessary for this proposal.



**15.220.050 Criteria for design review (Type II process)**

*B. Type II. The following criteria are required to be met in order to approve a Type II design review request:*

- 1. Design Compatibility. The proposed design review request incorporates an architectural design which is compatible with and/or superior to existing or proposed uses and structures in the surrounding area. This shall include, but not be limited to, building architecture, materials, colors, roof design, landscape design, and signage.*

**Response:** The proposed covered areas have been designed to be compatible with the architecture of the existing schools. They are located well away from the nearby property lines and located near or over existing play areas on the site. Elevations have been included with this application on sheets A3.00 and A3.05. The proposed structures meet the dimensional standards of the NMC and there is no evidence to suggest that they would not be compatible with the existing uses and structures in the surrounding area.

- 2. Parking and On-Site Circulation. Parking areas shall meet the requirements of NMC 15.440.010. Parking studies may be required to determine if adequate parking and circulation are provided for uses not specifically identified in NMC 15.440.010. Provisions shall be made to provide efficient and adequate on-site circulation without using the public streets as part of the parking lot circulation pattern. Parking areas shall be designed so that vehicles can efficiently enter and exit the public streets with a minimum impact on the functioning of the public street.*

**Response:** The on-site circulation and parking was previously reviewed, approved, and found to be consistent with the applicable standards of the NMC. No changes are proposed to the layout or design. Rather, the parking and circulation on site is proposed to be repaired, repaved, and restriped consistent with the existing parking and circulation on site.

- 3. Setbacks and General Requirements. The proposal shall comply with NMC 15.415.010 through 15.415.060 dealing with height restrictions and public access; and NMC 15.405.010 through 15.405.040 and 15.410.010 through 15.410.070 dealing with setbacks, coverage, vision clearance, and yard requirements.*

**Response:** The proposal does not include any requests for adjustments or modifications to the standards of the code and complies with the requirements listed above. As discussed throughout this narrative.

- 4. Landscaping Requirements. The proposal shall comply with NMC 15.420.010 dealing with landscape requirements and landscape screening.*

**Response:** With the exception of a new storm pond associated with the covered play area at CVMS, no new landscaping is proposed with this application. In addition, none of the existing landscaping intended to screen or buffer the schools from the surrounding properties is affected by these proposed improvements.



5. Signs. Signs shall comply with NMC 15.435.010 et seq. dealing with signs.

**Response:** No new signs are proposed with this application. This criterion is not applicable to the proposed development.

6. Manufactured Dwelling, Mobile Home and RV Parks. Manufactured dwelling and mobile home parks shall also comply with the standards listed in NMC 15.445.075 through 15.445.100 in addition to the other clear and objective criteria listed in this section. RV parks also shall comply with NMC 15.445.170 in addition to the other criteria listed in this section.

**Response:** The proposed development is to add covered areas to an additional campus, remove an existing modular, and to make repairs and repave existing parking and circulation areas. This criterion is not applicable to this proposal.

7. Zoning District Compliance. The proposed use shall be listed as a permitted or conditionally permitted use in the zoning district in which it is located as found in NMC 15.305.010 through 15.336.020. Through this site review process, the director may make a determination that a use is determined to be similar to those listed in the applicable zoning district, if it is not already specifically listed. In this case, the director shall make a finding that the use shall not have any different or more detrimental effects upon the adjoining neighborhood area than those specifically listed.

**Response:** The proposed improvements are located on property zoned R-1 Low-Density Residential. According to NMC 15.305.010, primary and secondary schools are outright permitted uses in the zone. The overall development of the site was previously subject to Site Design approval and compliance along with other applicable provisions of the NMC. As proposed and discussed in detail throughout this narrative, the proposed modifications comply with the applicable standards of the Newberg Municipal Code.

8. Subdistrict Compliance. Properties located within subdistricts shall comply with the provisions of those subdistricts located in NMC 15.340.010 through 15.348.060.

**Response:** The proposed development is not located within a subdistrict. This standard is not applicable to the proposed development.

9. Alternative Circulation, Roadway Frontage Improvements and Utility Improvements. Where applicable, new developments shall provide for access for vehicles and pedestrians to adjacent properties which are currently developed or will be developed in the future. This may be accomplished through the provision of local public streets or private access and utility easements. At the time of development of a parcel, provisions shall be made to develop the adjacent street frontage in accordance with city street standards and the standards contained in the transportation plan. At the discretion of the city, these improvements may be deferred through use of a deferred improvement agreement or other form of security.

**Response:** Circulation on and around the site was reviewed and approved previously. With the exception of repair, repaving, and restriping of the parking areas, no modifications



are proposed to the existing circulation and parking areas. Damaged sidewalk panels along the site's public frontages will be replaced as required by the City.

10. *Traffic Study Improvements. If a traffic study is required, improvements identified in the traffic study shall be implemented as required by the director. [Ord. 2763 § 1 (Exh. A § 7), 9-16-13; Ord. 2747 § 1 (Exh. A § 5), 9-6-11; Ord. 2451, 12-2-96. Code 2001 § 151.194.]*

**Response:** A traffic study was not warranted by the proposed improvements to the site; therefore, this criterion is not applicable.

### **15.302 Districts and their Amendment**

#### **15.302.032 Purposes of each zoning district.**

##### *A. R-1 Low Density Residential District.*

- 1. The purpose of this land use designation is to provide for low density urban single-family residential uses at an average overall density of 4.4 units per gross buildable acre in the district. It is intended to provide a stable and healthful environment together with the full range of urban services.*
- 2. Typical housing types will include single-family dwellings, duplex dwellings and planned unit developments. The district also is intended to allow low intensity institutional uses that operate consistent with peaceful enjoyment of residential neighborhoods. The R-1 district is intended to be consistent with the low density residential (LDR) designation of the comprehensive plan.*

**Response:** The proposed development is located within the R-1 Low Density Residential. The schools and senior center on this campus are pre-existing approved uses. Neither density or housing types associated with the districts purpose statement are proposed with this development. These criteria are not applicable to the proposal.

#### **15.302.040 Subdistricts.**

*Subdistricts of each of the use districts may be established. The parent residential district requirements shall apply to those respective subdistricts except those regulations pertaining to lot area per dwelling unit or density.*

**Response:** None of the subject site is located within a subdistrict or overlay. These criteria are not applicable to the proposed development.



### **15.303 Use Categories**

*This section speaks to the uses that are outright permitted, conditionally permitted, or not permitted within a specific zoning classification.*

**Response:** Section 15.303.331 defines Schools, primary or secondary as, “public and private schools, secular or parochial, at the primary, elementary, middle, junior high, or high school level that provide state mandated basic education primarily to minors.” Accessory uses include, “play areas, cafeterias, recreational and sport facilities, auditoriums, and before- or after-school day care, and administrative offices.” The proposed development would include construction of accessory uses to an already permitted use.

### **15.305 Zoning Use Table**

**Response:** This portion of the campus is located within the R-1 Zoning district. As indicated previously in this narrative, primary and secondary schools are listed as permitted uses within the zone. This proposal would result in the addition of three accessory covered activity areas on the overall campus, removal of

### **15.405 Lot Requirements**

#### **15.405.010 Lot area – Lot areas per dwelling unit.**

*15.404.010.B.1. In the R-1 district, there shall have a minimum area of 5,000 square feet or as may be established by a subdistrict. The average size of lots in a subdivision intended for single-family or duplex dwelling development shall not exceed 10,000 square feet.*

**Response:** This proposal would not create any new lots within the district. The current lot size is 16.84 gross acres and is developed with two schools and a senior center. This criterion is not applicable.

#### **15.405.040 Lot coverage and parking coverage requirements**

**Response:** According to section 15.405.040.C, lot and parking coverage associated with primary and secondary schools is not limited under these provisions.

### **15.410 Yard Setback Requirements**

*15.410.020.A.1 R-1 districts shall have a front yard not less than 15 feet. Said yard shall be maintained and landscaped.*

**Response:** The proposed development has frontage onto both NE Chehalem Drive and Foothills Drive. The proposed buildings and improvements along those frontages exceed the minimum setbacks prescribed above. All three of the covered structures are located behind the primary structures on site and are well beyond the 15-foot setback required by this section. This criterion is satisfied.

*15.410.030.A.1 All lots or development sites in the AR, R-1, R-2 and R-3 districts shall have interior yards of not less than five feet, except where a utility easement is recorded adjacent to a side lot line, there shall be a side yard no less than the width of the easement.*



**Response:** The proposed covered areas are interior to the site and well away from the side property lines. The eastern most covered play area associated with the elementary school is approximately 118-feet away from the eastern property line. The covered play area associated with CVMS is located approximately 88-feet from the property line. See sheet C1.0 for details.

*15.410.040 Setback and yard restrictions as to schools, churches, public buildings.*

*A. Building Setback. No buildings shall be erected, used or maintained for a school, church or public or semi-public building or use, institution or similar use under the regulations of this code unless such building is removed at least 25 feet from every boundary line of any property included in any residential district.*

**Response:** The property is developed with two schools and a senior center. There are residences located south, east, and north of the site. The proposed buildings are well away from properties located north and south of the campus by hundreds of feet. The proposed covered areas are also interior to the site and well away from the side property lines. However, they are closer to residential uses and warrant a more detailed discussion on those setbacks. As proposed, the eastern most covered play area associated with the elementary school is approximately 118-feet away from the eastern property line. The covered play area associated with CVMS is located approximately 88-feet from the property line which is further separated from any other use by NE Chehalem Drive. In fact, the property located west of the school site is farmed with a residence located northwest of the proposed covered play area. Please see sheet C1.0 for details.

*15.410.050.B Required Yard. No required front or interior yard of the lot on which such building or use is located shall be used for play or parking purposes.*

**Response:** There are no proposed play or parking areas within the required yards associated with these site modifications. The parking lot is existing and was previously approved. No new parking is proposed. Rather, the parking and circulation areas will be repaired, repaved, and restriped.

*15.410.050.C A lot or parcel of land in any district adjoining a street for which the planned right-of-way width and alignment have been determined shall have a building setback line equal to the yard required in the district, plus a distance of:*

- 1. Fifty feet from and parallel with the centerline of expressways.*
- 2. Thirty-five feet from and parallel with the centerline of major and minor arterials.*
- 3. Thirty feet from and parallel with the centerline of multifamily, commercial and industrial streets and single-family collector streets.*
- 4. Thirty feet from and parallel with the centerline of single-family local streets.*
- 5. Twenty-five feet from and parallel with the centerline of single-family hillside, cul-de-sacs and local streets which will never be extended more than 2,400 feet in length and which will have a relatively even division of traffic to two or more exits.*



**Response:** The property fronts NE Chehalem Drive and W. Foothills Drive. According to the pre-app notes provided by staff, NE Chehalem Drive is classified as a major collector and is under the jurisdictional authority of Yamhill County. W Foothills Drive is classified as a major collector and is under the jurisdictional authority of the City of Newberg. NE Chehalem Drive requires a minimum right-of-way width of 60 feet, and there is an existing right-of-way width of 58 feet. W. Foothills Drive requires a minimum right-of-way width of 60 feet and there is an existing right-of-way width of 62 feet. Both right-of-ways typical TSP section is listed as 60 feet. Therefore, the NE Chehalem Drive is deficient of the TSP typical cross section by two feet. W. Foothills Drive, on the other hand, has two feet more than required to meet the typical TSP cross section. According to these provisions, more specifically, subsection C.3, the building setback along NE Chehalem Drive should be forty-five feet. The proposed setback to the covered play structure behind CVMS is eighty-six to the closest point. This criterion is satisfied.

*15.410.060 The following vision clearance standards shall apply in all zones (see Appendix A, Figure 9).*

- A. At the intersection of two streets, including private streets, a triangle formed by the intersection of the curb lines, each leg of the vision clearance triangle shall be a minimum of 50 feet in length.*
- B. At the intersection of a private drive and a street, a triangle formed by the intersection of the curb lines, each leg of the vision clearance triangle shall be a minimum of 25 feet in length.*
- C. Vision clearance triangles shall be kept free of all visual obstructions from two and one-half feet to nine feet above the curb line. Where curbs are absent, the edge of the asphalt or future curb location shall be used as a guide, whichever provides the greatest amount of vision clearance.*

**Response:** All of the proposed buildings are interior to the site. Existing vision clearance will not be impacted by the proposed improvements. These criteria are not applicable.

#### **15.415 Building and Design Standards**

- D. Institutional. The maximum height of any building or structure will be 75 feet except as follows:*
  - 1. Within 50 feet of an interior property line abutting a C-1, R-1, R-2 or R-P district, no main building may exceed 30 feet.*
  - 2. Within 50 feet of an interior property line abutting an R-3 district, no main building may exceed 45 feet.*
  - 3. Within 100 feet of a property line abutting a public street or railroad right-of-way, or within 100 feet of property lines abutting parcels with an R-1, R-2, R-3, R-P, C-1, C-2, C-3, M-1, M-2, or M-3 zoning designation, no main building may exceed 50 feet in height.*



4. *To utilize the maximum permitted height standard, at least 80 percent of the building's ground coverage must be beyond the setback area designated in subsection (D)(3) of this section. The maximum encroachment may not exceed 25 feet.*

**Response:** The NMC defines building height as, "...the vertical distance from the grade to the highest point of the coping of a flat roof or the deck line of a mansard roof or to the average height of the highest gable roof..." The proposed covered play areas are not considered "main buildings" as defined in this section. Therefore, we assume that the maximum height is 75 feet. The accessory building height limitations do not appear to be listed within these provisions. Neither of the covered play areas are located within 100 feet of a property line with an R-1 zone and neither building exceeds 30 feet in height. The actual height of the proposed covered play areas are approximately 23 feet and 30 feet respectively. Please see sheets A3.00 and A3.05 for the proposed elevations.

#### **15.420 Landscaping and Outdoor Areas**

**Response:** None of the existing landscaping would be affected by the proposed improvements. Therefore, the landscaping provisions do not appear to be applicable to this proposal.

#### **15.425 Exterior Lighting**

##### **15.425.020 Applicability and exemptions**

*A. Applicability. Outdoor lighting shall be required for safety and personal security in areas of assembly, parking, and traverse, as part of multifamily residential, commercial, industrial, public, recreational and institutional uses. The applicant for any Type I or Type II development permit shall submit, as part of the site plan, evidence that the proposed outdoor lighting plan will comply with this section. This information shall contain but not be limited to the following:*

- 1. The location, height, make, model, lamp type, wattage, and proposed cutoff angle of each outdoor lighting fixture.*
- 2. Additional information the director may determine is necessary, including but not limited to illuminance level profiles, hours of business operation, and percentage of site dedicated to parking and access.*
- 3. If any portion of the site is used after dark for outdoor parking, assembly or traverse, an illumination plan for these areas is required. The plan must address safety and personal security.*

**Response:** The covered play areas and CTE area would not be provided with any exterior lighting. Rather, lighting will be ceiling mounted and the covered areas will be downlit. No lighting is expected to trespass beyond the proposed footprint of the covered play areas. If required, the applicant will provide detailed lighting cutsheets that are proposed within the covered play areas.



## **15.430 Underground Utility Installation**

### **15.430.010 Underground utility installation**

- A. *All new utility lines, including but not limited to electric, communication, natural gas, and cable television transmission lines, shall be placed underground. This does not include surface-mounted transformers, connections boxes, meter cabinets, service cabinets, temporary facilities during construction, and high-capacity electric lines operating at 50,000 volts or above.*
- B. *Existing utility lines shall be placed underground when they are relocated, or when an addition or remodel requiring a Type II design review is proposed, or when a developed area is annexed to the city.*
- C. *The director may make exceptions to the requirement to underground utilities based on one or more of the following criteria:*
- 1. The cost of undergrounding the utility is extraordinarily expensive.*
  - 2. There are physical factors that make undergrounding extraordinarily difficult.*
  - 3. Existing utility facilities in the area are primarily overhead and are unlikely to be changed. [Ord. 2537, 11-6-00. Code 2001 § 151.589.]*

**Response:** All new utilities intended to serve the covered play areas will be placed underground in compliance with this section. This criterion is satisfied.

## **15.440 Off-Street Parking, Bicycle Parking, and Private Walkways**

**Response:** All required parking will remain on site. The play areas and covered CTE areas do not increase the number of teaching stations on site. The previously approved parking areas will not be modified for these covered play/CTE areas. Rather, the parking and circulation areas will be repaired, repaved, and restriped consistent with the existing parking and circulation layout. These provisions are not applicable to the proposed development and are not addressed in detail.

## **15.505 Public Improvement Standards**

### **15.505.030 Street Standards**

#### *E. Improvements to Existing Streets.*

- 1. All projects subject to partition, subdivision, or Type II design review approval shall dedicate right-of-way sufficient to improve the street to the width specified in subsection (G) of this section.*
- 2. All projects subject to partition, subdivision, or Type II design review approval must construct a minimum of a three-quarter street improvement to all existing streets adjacent to, within, or necessary to serve the development. The director may waive or modify this requirement where the applicant demonstrates that the condition of existing streets to serve the development meets city standards and is in satisfactory*



*condition to handle the projected traffic loads from the development. Where a development has frontage on both sides of an existing street, full street improvements are required.*

- 3. In lieu of the street improvement requirements outlined in NMC 15.505.040(B), the review authority may elect to accept from the applicant monies to be placed in a fund dedicated to the future reconstruction of the subject street(s). The amount of money deposited with the city shall be 100 percent of the estimated cost of the required street improvements (including any associated utility improvements), and 10 percent of the estimated cost for inflation. Cost estimates used for this purpose shall be based on preliminary design of the constructed street provided by the applicant's engineer and shall be approved by the director.*

**Response:** The proposed development provides three new covered areas on an existing shared school campus. The District is not proposing any public improvements beyond replacement of any damaged sidewalk panels along the site's frontage with W. Foothills Drive. The proposed development will not generate any additional traffic trips that would generally be expected to further impact the existing transportation system.

*F. Improvements Relating to Impacts. Improvements required as a condition of development approval shall be roughly proportional to the impact of the development on public facilities and services. The review body must make findings in the development approval that indicate how the required improvements are roughly proportional to the impact. Development may not occur until required transportation facilities are in place or guaranteed, in conformance with the provisions of this code. If required transportation facilities cannot be put in place or be guaranteed, then the review body shall deny the requested land use application.*

**Response:** Noted. The District is not proposing any additional dedication or street improvements beyond improvements related to replacing the damaged sidewalk panels.

#### *G. Street Width and Design Standards.*

- 1. Design Standards. All streets shall conform with the standards contained in Table 15.505.030(G). Where a range of values is listed, the director shall determine the width based on a consideration of the total street section width needed, existing street widths, and existing development patterns. Preference shall be given to the higher value. Where values may be modified by the director, the overall width shall be determined using the standards under subsections (G)(2) through (10) of this section.*

**Response:** As stated previously, the CVMS/ACES shared campus fronts NE Chehalem Drive and W. Foothills Drive. According to the pre-app notes provided by staff, NE Chehalem Drive is classified as a major collector and is under the jurisdictional authority of Yamhill County. W Foothills Drive is classified as a major collector and is under the jurisdictional authority of the City of Newberg. NE Chehalem Drive requires a minimum right-of-way width of 60 feet, and there is an existing right-of-way width of 58 feet. W. Foothills Drive requires a minimum right-of-way width of 60 feet and there is an existing right-of-way width of 62 feet. Both right-of-ways typical TSP section is listed as 60 feet.



Therefore, the NE Chehalem Drive is deficient of the TSP typical cross section by two feet. W. Foothills Drive, on the other hand, has two feet more than required to meet the typical TSP cross section. If conditioned to provide additional dedications or improvements, the District will comply so long as the exactions are directly related and roughly proportional to the impacts of the proposed development.

*S. Public Walkways.*

- 1. Projects subject to Type II design review, partition, or subdivision approval may be required to provide public walkways where necessary for public safety and convenience, or where necessary to meet the standards of this code. Public walkways are meant to connect cul-de-sacs to adjacent areas, to pass through oddly shaped or unusually long blocks, to provide for networks of public paths according to adopted plans, or to provide access to schools, parks or other community destinations or public areas. Where practical, public walkway easements and locations may also be used to accommodate public utilities.*
- 2. Public walkways shall be located within a public access easement that is a minimum of 15 feet in width.*
- 3. A walk strip, not less than 10 feet in width, shall be paved in the center of all public walkway easements. Such paving shall conform to specifications in the Newberg public works design and construction standards.*
- 4. Public walkways shall be designed to meet the Americans with Disabilities Act requirements.*
- 5. Public walkways connecting one right-of-way to another shall be designed to provide as short and straight of a route as practical.*
- 6. The developer of the public walkway may be required to provide a homeowners' association or similar entity to maintain the public walkway and associated improvements.*
- 7. Lighting may be required for public walkways in excess of 250 feet in length.*
- 8. The review body may modify these requirements where it finds that topographic, preexisting development, or similar constraints exist.*

**Response:** The District is willing to replace any damaged sidewalk panels along the site's frontage with W. Foothills Drive and ensure that they are consistent with the Americans with Disabilities Act. The City's pre-app notes indicate that additional improvements and dedications along NE Chehalem Drive may be required. The District does not feel that the required improvements along NE Chehalem Drive are justified and is not proposing any improvements along those frontages.

- T. Street Trees. Street trees shall be provided for all projects subject to Type II design review, partition, or subdivision. Street trees shall be installed in accordance with the provisions of NMC 15.420.010(B)(4).*



**Response:** The District is not proposing to impact any of the existing on-site landscaping with these improvements.

#### **15.505.040 Public Utility Standards**

*B. Applicability. This section applies to all development where installation, extension or improvement of water, wastewater, or private utilities is required to serve the development or use of the subject property.*

**Response:** The proposed improvements to the site do not impact any of the public utilities. Stormwater improvements are required and will be constructed to treat and detain the storm water from the covered structures. A preliminary stormwater memorandum is attached to this application as Appendix 1.

#### *C. General Standards.*

- 1. The design and construction of all improvements within existing and proposed rights-of-way and easements, all improvements to be maintained by the city, and all improvements for which city approval is required shall conform to the Newberg public works design and construction standards and require a public improvements permit.*
- 2. The location, design, installation and maintenance of all utility lines and facilities shall be carried out with minimum feasible disturbances of soil and site. Installation of all proposed public and private utilities shall be coordinated by the developer and be approved by the city to ensure the orderly extension of such utilities within public right-of-way and easements.*

**Response:** The District is not proposing any new public utility improvements with the proposed site improvements. The proposed stormwater improvements will be located, designed and constructed in conformance with the Newberg public works design and construction standards.

*F. Easements. Easements for public and private utilities shall be provided as deemed necessary by the city, special districts, and utility companies. Easements for special purpose uses shall be of a width deemed appropriate by the responsible agency. Such easements shall be recorded on easement forms approved by the city and designated on the final plat of all subdivisions and partitions. Minimum required easement width and locations are as provided in the Newberg public works design and construction standards.*

**Response:** Easements for on-site public and private utilities will be provided where required. As proposed, this criterion is satisfied.

#### **15.505.050 Stormwater system standards**

*C. General Requirement. All stormwater runoff shall be conveyed to a public storm wastewater or natural drainage channel having adequate capacity to carry the flow without overflowing or otherwise causing damage to public and/or private property. The*



*developer shall pay all costs associated with designing and constructing the facilities necessary to meet this requirement.*

**Response:** New on-site stormwater will be collected and over detained near the covered play area associated with CVMS. The stormwater will be treated and conveyed to an existing on-site storm line. More specific details can be found in Appendix 1 and on sheets C4.1 and C4.2 of the plan set.

*D. Plan for Stormwater and Erosion Control. No construction of any facilities in a development included in subsection (B) of this section shall be permitted until an engineer registered in the State of Oregon prepares a stormwater report and erosion control plan for the project. This plan shall contain at a minimum:*

- 1. The methods to be used to minimize the amount of runoff, sedimentation, and pollution created from the development both during and after construction.*
- 2. Plans for the construction of stormwater facilities and any other facilities that depict line sizes, profiles, construction specifications, and other such information as is necessary for the city to review the adequacy of the stormwater plans.*
- 3. Design calculations shall be submitted for all drainage facilities. These drainage calculations shall be included in the stormwater report and shall be stamped by a licensed professional engineer in the State of Oregon. Peak design discharges shall be computed based upon the design criteria outlined in the public works design and construction standards for the city.*

**Response:** A preliminary stormwater memorandum, prepared by a professional and licensed engineer within the State of Oregon has been prepared and submitted along with this application. The plan includes methods, proposed facilities, and calculations to support the design of the system. Specific erosion control plans for the proposed improvements are included in sheets C3.0 – C3.5 of the proposed plan set. Proposed erosion control will include best management practices as prescribed by the Oregon Department of Environmental Quality (DEQ).

*E. Development Standards. Development subject to this section shall be planned, designed, constructed, and maintained in compliance with the Newberg public works design and construction standards.*

**Response:** Noted. The project engineer is aware of this requirement and has designed the improvements with the applicable design and construction standards in mind.



### III. CONCLUSION

This summary of the request and attachments demonstrate compliance with the City of Newberg applicable approval criteria for the proposed design review. The applicant respectfully requests that the City approve this request.

### IV. APPENDIX

1. Preliminary stormwater memorandum.
2. Title Report

### V. PLAN SETS

#### **Architectural**

- A3.00 – CVMS Covered Play Area Elevations
- A3.05 – ACES Covered Play Area Elevations

#### **Civil Plans**

- C0.1 – Title Sheet & General Arrangement
- C1.0 – Overview
- C1.3 – Demo and Existing Conditions Plan
- C1.4 – Demo and Existing Conditions Plan
- C1.5 – Demo and Existing Conditions Plan
- C2.1 – Demo & Site Plan
- C2.1A – Demo & Site Plan
- C2.2 – Demo & Site Plan
- C2.3 – Site Plan
- C2.4 – Site Plan
- C2.5 – Site Plan
- C2.6 – Civil Improvements Enlargement
- C2.7 – Civil Improvements Enlargement
- C3.0 – Grading & Erosion Control Cover
- C3.0A – Grading and Erosion Notes
- C3.1 – Grading and Erosion Control Plan
- C3.2 – Grading and Erosion Control Plan
- C3.3 – Grading and Erosion Control Plan
- C3.4 – Grading and Erosion Control Plan
- C3.5 – Grading and Erosion Control Plan
- C4.1 – Chehalem Valley Storm Plan & Details
- C4.2 – Antonio Crater Storm Plan & Details
- C5.1 – Civil Details
- C5.2 – Civil Details

